

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:	)	Case No:	19-06979
Jeffrey Schwartz	)		
Harriett Wendy Schwartz	)	Chapter:	Chapter 13
Debtors	)		
	)	Judge:	David D. Cleary

**NOTICE OF MOTION**

**To:** Jeffrey & Harriet Schwartz, 1121 Little Falls Dr, Elgin, IL, 60120  
Marilyn O. Marshall, 224 S. Michigan Ave. #800, Chicago, IL, 60604  
Office of the US Trustee, 219 S. Dearborn, Suite 873, Chicago, IL 60604

SEE ATTACHED SERVICE LIST OF ALL CREDITORS

**PLEASE TAKE NOTICE** that on **April 13, 2020 at 1:30 p.m.** I shall appear before the Honorable Judge **David D. Cleary** at 219 S. Dearborn St., Courtroom 644, Chicago IL 60604 and then and there present the attached **MOTION TO MODIFY CONFIRMED PLAN**, a copy of which is attached hereto. A party who objects to the motion and wants it called must file a Notice of Objection no later than 2 business days before the presentment date.

**By:** /s/Dale Riley  
Dale Riley

**CERTIFICATE OF SERVICE**

I, Dale Riley, hereby certify that I served a copy of this Notice along with the aforementioned document upon the above parties, by causing the same to be mailed in a properly addressed envelope, postage prepaid, for 55 E. Monroe, Suite 3400, Chicago, Illinois, on 3/20/2020.

**By:** /s/Dale Riley  
Dale Riley

**Attorneys for the Debtors**

Geraci Law L.L.C.  
55 E. Monroe Street #3400  
Chicago, Illinois 60603  
(Ph): 312.332.1800 (Fax): 877.247.1960

Advocate Medical Group  
C/O State Collection Service  
PO Box 6250  
Madison WI 53716-0250

Cavalry Portfolio SPV I  
Bankruptcy Dept  
PO Box 1030  
Hawthorne NY 10532

Exxnmobil/CBNA  
Attn: Bankruptcy Dept.  
Po Box 6497  
Sioux Falls SD 57117

AMEX  
Attn: Bankruptcy Dept.  
Po Box 297871  
Fort Lauderdale FL 33329

Clerk, Third Mun Div  
19 M3 000618  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

HSBC BANK Nevada N.A.  
C/O JH Portfolio DEBT EQUI  
5757 Phantom Dr Ste 225  
Hazelwood MO 63042

Associates in Psychiatry and Counseling  
C/o Merchants Credit Guide Co.  
223 W. Jackson Blvd., Ste. 900  
Chicago IL 60606

Keith Scott Schindler  
Bankruptcy Dept.  
1990 E. Algonquin, #180  
Schaumburg IL 60173

Illinois Gastro Enterology Group  
C/O Keynote Consulting  
220 W Campus Drive # 102  
Arlington Heights IL 60004

Bayview Financial LOAN  
Attn: Bankruptcy Dept.  
4425 Ponce De Leon Blvd  
Coral Gables FL 33146

CEP America Illinois LLP  
C/O Wakefield & Associates  
PO Box 59003  
Knoxville TN 37950

LANE BRYANT RETAIL/SOA  
Attn: Bankruptcy Dept.  
450 Winks Ln  
Bensalem PA 19020

Clerk, Chancery  
18 CH 15032  
50 W. Washington St., Room 802  
Chicago IL 60602

Chase CARD  
Attn: Bankruptcy Dept.  
Po Box 15298  
Wilmington DE 19850

Midland Funding, LLC  
Bankruptcy Department  
8875 Aero Drive, # 200  
San Diego CA 92123

Wirbicki Law  
Bankruptcy Dept.  
33 W. Monroe, #1140  
Chicago IL 60603

MRS Associates of New Jersey  
Bankruptcy Dept.  
1930 Olney Ave.  
Cherry Hill NJ 08003

Clerk, Third Mun Div  
18 M3 007678  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

Bright Light Medical Imaging  
Billing Department  
31 S Arlington Heights Rd  
Elk Grove Village IL 60007

Chase MTG  
Attn: Bankruptcy Dept.  
Po Box 24696  
Columbus OH 43224

Blitt and Gaines, PC  
Bankruptcy Dept.  
661 Glenn Ave.  
Wheeling IL 60090

Cabelas Club  
C/O Portfolio Recovery Assoc.  
120 Corporate Blvd., Ste. 100  
Norfolk VA 23502

CITI  
Attn: Bankruptcy Dept.  
Po Box 6190  
Sioux Falls SD 57117

Midwest Bone and Joint  
C/O ATG Credit, LLC  
PO Box 14895  
Chicago IL 60614

Capital One  
Bankruptcy Dept.  
PO Box 30285  
Salt Lake City UT 84130

Comenitybank/Meijer  
Attn: Bankruptcy Dept.  
Po Box 182789  
Columbus OH 43218

Portfolio Recovery Assoc.  
Riverside Commerce Center  
120 Corporate Blvd., Ste. 100  
Norfolk VA 23502

CAP1/Bstby  
Attn: Bankruptcy Dept.  
26525 N Riverwoods Blvd  
Mettawa IL 60045

Discover FIN SVCS LLC  
Attn: Bankruptcy Dept.  
Po Box 15316  
Wilmington DE 19850

Clerk, Third Mun Div  
19 M3 000539  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

Capital ONE N.A.  
C/O Midland Funding  
2365 Northside Dr Ste 30  
San Diego CA 92108

Elgin Internal Medical Associates  
C/O Merchants Credit Guide Co.  
223 W. Jackson Blvd., Ste. 900  
Chicago IL 60606

Blitt and Gaines, PC  
Bankruptcy Dept.  
661 Glenn Ave.  
Wheeling IL 60090

Capital ONE, N.A.  
Attn: Bankruptcy Dept.  
Po Box 26625  
Richmond VA 23261

Elgin Internal Medical Associates  
745 Fletcher Dr  
Elgin IL 60123

Quest Diagnostics  
C/O Credit Collection Services  
PO Box 55126  
Boston MA 02205

Quest Diagnostics  
Attn: Bankruptcy Dept  
PO Box 740397  
Cincinnati OH 45274

Syncb/ASHLEY HOMESTORE  
Attn: Bankruptcy Dept.  
950 Forrer Blvd  
Kettering OH 45420

Syncb/BP DC  
Attn: Bankruptcy Dept.  
Po Box 965024  
Orlando FL 32896

Syncb/CAR CARE DISC TI  
Attn: Bankruptcy Dept.  
Po Box 965036  
Orlando FL 32896

Syncb/HOME SHOPPING  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Syncb/JTV  
Attn: Bankruptcy Dept.  
Po Box 965036  
Orlando FL 32896

Syncb/SAMS CLUB DC  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Syncb/SCORE REWARDS DC  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Synchrony BANK  
C/O Portfolio Recov Assoc  
120 Corporate Blvd Ste 1  
Norfolk VA 23502

Synchrony BANK  
C/O Midland Funding  
2365 Northside Dr Ste 30  
San Diego CA 92108

Synchrony BANK  
C/O Cavalry Portfolio SERV  
Po Box 27288  
Tempe AZ 85285

TD BANK USA/Targetcred  
Attn: Bankruptcy Dept.  
Po Box 673  
Minneapolis MN 55440

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

<b>In Re:</b> <b>Jeffrey Schwartz</b> <b>Harriett Wendy Schwartz</b> <b>Debtors</b>	) ) ) ) )	<b>Case No: 19-06979</b>  <b>Chapter: Chapter 13</b>  <b>Judge: David D. Cleary</b>
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**MOTION TO MODIFY CONFIRMED PLAN**

NOW COME the Debtors, Mr. & Mrs. Jeffrey Schwartz (the “Debtors”), by and through their attorneys, Geraci Law L.L.C., to present their **MOTION TO MODIFY CONFIRMED PLAN**, and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtors filed their Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 03/13/2019.
3. The Debtors’ plan was confirmed by the Court on 06/10/2019 including a provision requiring the Debtors to turn their federal tax refunds in excess of \$1,200 over to the Trustee as additional payments into the plan.
4. The Debtors anticipate receiving a refund of \$5,751 for tax year 2019.
5. The Debtors owes \$4,672.06 in post-petition medical bills and their vehicle is in need of repairs estimated to cost \$1,344.06.
6. The Debtors are unable to afford these expenses while also maintaining their Chapter 13 plan payments without using their tax refund.
7. For the reasons stated above, it is necessary for the successful completion of the Debtors’ plan to permit the Debtors to keep their entire 2019 tax refund.

WHEREFORE THE DEBTORS, Mr. & Mrs. Jeffrey Schwartz, respectfully request this Honorable

Court enter an order:

1. Permitting the Debtors to keep their entire 2019 tax refund.
2. Any other relief the court deems proper.

**By:** /s/ Dale Riley  
Dale Riley

**Attorneys for the Debtors**

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960